

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Cory Miller	Team: Team # 6	CCRB Case #: 200309739	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 11/20/2003 2:00 PM	Location of Incident: 108 Precinct-5-47 50th Ave	Precinct: 108	18 Mo. SOL 5/20/2005	EO SOL 5/20/2005	
Date/Time CV Reported Tue, 12/09/2003 11:00 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Tue, 12/09/2003 12:22 PM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. SGT Jeffrey Schiff	00080	918548	108 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.SGT Jeffrey Schiff	Abuse: Sgt. Jeffrey Schiff threatened to arrest § 87(2)(b)				

Synopsis

On November 20, 2003, at approximately 2:00 PM in the 108th Precinct in Queens, § 87(2)(b) alleges that she was the victim of police misconduct. § 87(2)(b) alleges that Sgt. Jeffrey Schiff threatened to arrest her.

§ 87(2)(b) walked in to the CCRB on December 9, 2003 in order to file her complaint. Investigator Cory Miller took § 87(2)(b)'s complaint on December 9, 2003. § 87(2)(b) accepted mediation, and her case was forwarded to the mediation unit on December 18, 2003. Sgt. Schiff rejected mediation, and the case was returned to the investigator on January 30, 2004. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

Summary of Complaint

§ 87(2)(b)

§ 87(2)(b) was interviewed at the CCRB on December 9, 2003, at 11:45 AM (See ENC 5A-C). § 87(2)(b) stated that she is having an ongoing dispute with her neighbor, § 87(2)(b) § 87(2)(b). § 87(2)(b) explained that she has filed numerous complaints against § 87(2)(b). The two have gone to court, and have been ordered to stay a certain number of feet away from each other. § 87(2)(b) stated that § 87(2)(b) coerces children to stand beneath her window and shout, "Penis", as well as shout, "How much do you charge," causing severe emotional trauma.

On November 20, 2003, § 87(2)(b) traveled to the 108th Precinct to file another complaint against § 87(2)(b). She gave a brief statement to § 87(2)(b) § 87(2)(b). She stated that § 87(2)(b) was extremely kind to her. She then gave § 87(2)(b) four photographs that showed bruising on § 87(2)(b)'s breasts that were related to a physical altercation with § 87(2)(b) § 87(2)(b). § 87(2)(b) took these photographs and gave them to another individual. § 87(2)(b) then became worried that the officers stole her photographs. She asked § 87(2)(b) for the photographs, however § 87(2)(b) told § 87(2)(b) that she could get them later. She gave § 87(2)(b) a pink slip of paper (said paper was a voucher receipt that stated that the 108th Precinct vouchered the photographs as part of an ongoing investigation). Sgt. Jeffrey Schiff then approached § 87(2)(b) and tried to explain what happened to the pictures. § 87(2)(b) pleaded with Sgt. Schiff to return her photographs. Eventually Sgt. Schiff began to yell at § 87(2)(b) and said, "if you don't get out of here, I'll arrest you." § 87(2)(b) then said, "if you want to arrest me, place handcuffs on me." Sgt. Schiff eventually left, and then § 87(2)(b) left the precinct without her photographs. She eventually obtained them at a later date.

Results of Investigation

Sgt. Jeffrey Schiff:

Sergeant Jeffrey Schiff was interviewed at the CCRB on February 18, 2004 (See ENC 6A-B). On November 20, 2003, Sgt. Schiff worked from 6:55 AM to 3:52 PM. Sgt. Schiff was working as the desk officer at the 108th Precinct. Sgt. Schiff was dressed in uniform. He did not bring his memo book to the interview.

On November 20, 2003, at approximately 2:00 PM, Sgt. Schiff was on his post at the desk in the 108th Precinct. PAA Pearl Harris came to Sgt. Schiff and told him that § 87(2)(b) wished to make an assault 3 complaint. PAA Harris added that § 87(2)(b) had photographs that she had taken of bruises on her body related to the assault complaint that she was filing. Sgt. Schiff told PAA Harris to take § 87(2)(b)'s complaint and to voucher the photographs as investigatory evidence. Sgt. Schiff explained that it is required as procedure to voucher the photographs as evidence. PAA Harris walked back out to § 87(2)(b) and began to write the report. She took half of § 87(2)(b)'s report before § 87(2)(b) protested that she wanted her photographs returned. Sgt. Schiff told PAA Harris to tell § 87(2)(b) that the photographs can be released if there is no arrest, and the investigating officer deems that there is nothing further that can be done. He went on to explain that if there is an arrest, that the photographs would be released to § 87(2)(b) by the Assistant District Attorney. PAA Harris explained this to § 87(2)(b) however, § 87(2)(b) was still adamant that she wanted her photographs returned. PAA

§ 87(2)(b) alleges that Sgt. Schiff threatened to arrest her while in the 108th Precinct. Sgt. Schiff admits to stating, “ma’am, you’re interfering with governmental administration. You could be arrested if you don’t leave the premises or if you have no further police business.” § 87(2)(b) alleges no other misconduct. ■

§ 87(2)(g)

■ Penal Law code 195.05, obstructing governmental administration in the second degree, states, “A person is guilty of obstructing governmental administration when he intentionally obstructs, impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function.” (See ENC 1A) § 87(2)(g)

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Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: